NEWS BY TELEGRAPH. ITEMS FROM THE CAPITAL.

BURNING OF THE INSAME ASYLUM IN MAINE.

MESSAGE OF THE COVERNOR OF TEXAS,

From Washington.

THE REPORT OF THE SECRETARY OF THE TREASURY—
NEW GRADE IN THE ARMY—THE BOUNTY LAND LAW
—NON-ARRIVAL OF MR. CLAY, ETC.

WASHINGTON, Dec 6 1850 It is understood that the report of the Secretary of the Treasury will be furnished to morrow, and transmitted on Monday. On questions of domestic policy, Mr. Corwin and the President are pretty much of one

The Board of Army Officers, of which Gen. Jesup is the President, has decided upon recommending that another grade be added to the officers of the Army, of

the rank of Lieut. General.

Two-thirds of the members of Congress seem to have determined upon amending the Bounty Land law of last session, to allow the transfer of warrants before

Mr. Clay has not arrived yet, being detained by cer-tain cases in the Supreme Court of Kentucky.

French S. Evans has been appointed Chief Clerk of the Pension Office, vice Hove, lately appointed, and now transferred to another position

The Destruction of the Hospital at Augusta Bosros, Dec. 6, 1850 A telegraphic despatch dated Augusta, Dec. 6-10

o'clock A. M . says :- "The whole number of patients missing since the burning of the Insane Hospital is 28, all males. Their names are Armstrong, Atkinson, Barry, Blake, Carriell, Dennett. Denison, Flink, Fos. Kinsell: Linscott, Dr. McKennies, McLellan, McVay Norwood, Dayson, Pierce, Pines, Richards, Willis, Widson, Wyman. Some of these are believed to be abroad. The bodies of seven have been found, but caunot be recognized. A corener's jury has charge of the remains. Henry Jones, an attendant, was the only san person who perished; he was sudeavoring to rescue those under his charge. With but few exceptions, all those lost were incurable, and it is believed that most the damage done to the hospital can be repaired for -\$50,000. The entire building, and seven others, were

Message of the Governor of Texas.

BALTIMOIR, Dec. 6, 1850.

The message of the Governor of Texas states that he aticipated the passage of the Boundary bill by Congress, but regrets that Congress was not more specific in defining the mode of ascertaining and making known at the federal treasury the amount of debt for which the five millions of stock are to be retained -or ad not deemed the relinquishment, by the State, of all liability on the part of the United States, as sufficient guarantee. He considers that the creditors of Toxas must look to the U. States, and not to Texas, for the set tlement of her claims. In regard to the bonds issued by the late republic for double the amount of the orifinal contracts, he thinks that between private individuals such would be void on account of usury. He, bowever, recommends that government should certainly pay to its crediters the full amount of benefits received, and interest on the amount from the time when it should have been paid He also recommends that a law be passed, requiring all creditors holding claims against the late republic of Texas and for which revenues arising from impost duties were specially pledged, to file releases in favor of the United States, in respect to said claims, with the comptroiler of the State within a specified time; and in default thereof, their claims upon the United States, for the liability of the said debte, growing out of the transfer of revenue, un dor the articles of annexation, shall be considered as

Caught in the Act of Blocking up a Rail-

LITTLE FALLS, N. Y . Dec. 6, 1850. This forenoon, when the mail train going east was within four miles of Little Falls, the engineer, Mr. topped the train, and, with the aid of Mr Z. P. Priest the local superintendent, and some of the passengers whom they brought to this place. An examination was had before Justice Thompson, who committed the offenders to the Kerkimer jail, to undergo a trial at the next term of the court.

Gold from California-items from Mexico. CHARLESTON, Dec. 5, 1850.

Tera Cruz, bringing 136 passengers from California, Daniel Webster has been elected a member of the Statistical Society in Mexico.

the Union meeting held there.

adopted by the Reform Convention

Senators on their Way to Washington.

Two mails from New Orleans have arrived. and Gwin, of California, left New Orleans, on the 29th ult, by the steamship Pacific, for New York. The New Orleans papers are tilled with accounts of

ANNAPOLIS, Dec. 6, 1850. A resolution in favor of biennial sessions, has been

CINCINNATI, Dec. 6, 1850

by sections, and recommended. The only amendment passed was one striking from the third section the provision as amended yesterday - that schools shall be free to all white children in the State. The language retained is, that the general assembly shall establish therough and efficient system of common school edu-cation, making no reference to classes of children to

Trial of Dunbar, the Murderer, &c ALEANY, Dec. 6, 1850.

The evidence in the case of Reuben Dunbar for the murder of the Lester children, has closed. The summing up by the counsellors will probably occupy all day to-morrow, and the greater part of Monday.

Sentence of an Incendiary.

Hannsautno, Pa., Dec. 6, 1860. The Court of Overter Sessions, to day, refused a new trial to young Milligan, who was convicted last week

The trial of Mayor Barker, partial of Mayor Barker, paterday, for misdements in office, resulted in blue arterion. Colons tanuel W. Black, counsel for the prosecution, make one of the most powerful speeches ever heard at the Pittsburgh bar. The Mayor of Pittsburgh Convicted.

The market is more settled and firm, and hogs are in better demand; 3,000 have been sold, at \$3.83 a \$3.90, of which, Boston men bought 1,000 at \$3.85. Receipts are moderate. Green meats are 3.a. \$3.9c, for shoulders, and 4%c, for sides, and 60. a 6%c, for hams. Large e firm, at 70.

New Hampshire Constitutional. Convention.

The New Hampshire State Convention has seteled the question that the Governor is to be chosen
for two years, and that there are to be hereafter
tiennial sessions of the Legislature. The State
Council is to be abolished, and "by a voice of
Council" is struck out of every section where it
appears in the old constitution. The most exciting
treatment in the basis of representation in the House
of Representatives. The small towns ask for a
basis of 160 voters for the first Representative; 750
for the second; and 1500 for the third.—Boston
Courter, Dec. 6.

NEWS BY THE MAILS.

Our Baltimore Correspondence Baltimone, Dec 6, 1850.
The Lind Excitement-Trouble among the Musiciana

La Germania backed out-Military Troubles, &c. parations at the Front street theatre attract great attention. Mr. Barnum, in advance of his arrival, has already gone to war with our musicians, so that, in all probability, she will have no orchestra to accompany her, except the handful of performers that will assom-pany the party, which, in a house like the Front street theatre, will be decidedly shabby. Some weeks since, the Mesers. Volundt, whose band have always assisted the Mesers. Volandt, whose band have always assisted Mrs Seguin, were given to understand that their services would be required, and they began to make arrangements; but, on the arrival of Mr. Legiand Smith here, they were given to understand that glory was all the pay they were to receive, and as people are not so easily humbugged in Baltimore as some places I know of, they politically declined the honor.

Application was then made to the Sermania Musical Association to assist in the cencerts for four nights. They replies that they were ready to ester into an engagement for the four nights, including a serenade on the night of her arrival. Bills were printed forthwith, announcing their presence, and last night Mr. Barnum's ultimatum was reserved, which was \$250 for the services of 25 performers for four nights. They, of course, indignantly threw up the engagement, considering such an offer an insule. They are now giving their series of winter concerts here each one of which nest them about \$400, and would yield much more if they had a larger hall.

There is a general rupture in progress among the military of Baltimore, the result of which will probably be an entire reorganization. A meeting was held by the privates of the 5th regiment a few weeks since, and resolutions adepted, requesting the staff officers of the regiment to resign. Last night the officers of the regiment as each of the privates than to send a copy of them to the staff officers. The staff officers of this regiment are old superannusted fellows, who have to be attended on parade by servants, and commissioned officurs are as anxious to get rid of them as the men are.

Our Philadelphia Correspondence. Mrs Seguin, were given to understand that their ser-

Our Philadelphia Correspondence.

PHILADELPHIA, Dec. 6, 1850. Jenny Lind -- The Weather, 4c.

The weather-the sloppy, disagreeable, blue-devilish weather-would be the sole topic of conversation today, but for the fact that Jenny Lind's last concert takes place this evening. The rain and the concert taken together, lead to the belief that the clerk of the weather has entered into a compiracy with the cab-drivers, to render these vehicles absolutely necessary to every person designing to attend. The outsider will, however, be in a quandary, for only a most ardent admirer of the fair songstress could venture to stand out in the rain such a night as this promises to be. As some of the people living in the vicinity of the Hall have determined to admit the outsiders for a consideration, there will be inside accommedation for a few. The school room at the rear of St. Stephen's church, which runs back to the Hall, will also be filled by the friends of the sexton, as on former occasions. The interior of the Hall, will of course present a perfect blaze of beauty and fashion. She leaves to morrow for Baitimore, and reat upon the sarpet comes the l'hilharmonic concert and the Italian opers.

Among the cases heard before the Mayor this morning, were three gay sparks who were captured by the watch last night, while breaking into the door of a house of bad repute, in Chanceller street. They are all married men, and were held to answer the charge in the sum of \$300 each. ardent admirer of the fair songstress could venture to

The Fugitive Stave Case to Boston The Fugitive Slave Case in Boston.

Statement of Deputy Sheriff Cosurn, of Boston, in Reply to Messas. Known and Hughes, of Georgia.—It being well known to the public that I am the officer who arrested Messas. Willis H. Hughes and John Knight, on their recent visit to Boston, for an alleged conspiracy to kidnap William and Elien Grafts; and inasmuch as the statements of those gentlemen are calculated to make an extension of the statements of the statement of ments of those gentlemen are calculated to make an erroneous impression upon the public mind, perhaps not intentionally, respecting my official course, and to place me and my acts in an erroneous light before the public, and to make it appear that I was desirous, if not to countenance the mob, at least to take those gentlemen as my prisoners to the place where a mob had collected for the purpose of insult and outrage to them, I deem it due no less to the public than to myself, to state precisely what took place at the time of their second arrest on the 23th day of October last—that being the time more particularly alluded to by Mr. Hughes—and leave the public to judge how far the imputation made by Mr. Hughes is justified by the facts.

Agreeably to previous appointment, at half-past four o'clock, P. M., I left my office accompanied by Charles List, Esq., and no one else, and walked to the United States Hotel, where I found Mr. Knights in one of the stores under, the hotel. I stated my business to him, and, at his request went to his room in the hotel, where I found Mr. Hughes, to whom I also made known my business. After a few minutes' conversation respecting their

After a few minutes' conversation respecting their mission—the obtaining a warre nt—it being, as they said, then in the hands of the Marshal, &c., I said, gentlemen, I will order a carriage, and if you will go with me to my office, I will send immediately to whem you wish for ball—as I had done in the arrest made by me in the morning. They said they were fearful of another crowd, if they went to my office. To which I replied that I did not apprehend the least danger, as the arrest was known to no one but Mr. List, who had accompanied me, and I did not think him disposed to make any disturbance; but if they had any fear of that, I would take them directly to my house, 22 Leverett street, where they should be folly protected, and have ample time to obtain bail, and should be welcome to remain through the night if they desired. I maduths proposition for their own accommodation, and in order to give them more time to procure bail than would have been the case if they had remained at the hotel or at my office,—should the gentlemen who were already bail for them in \$20,000 decline or be absent; and also to avoid if possible the necessity of committing them to jail. From the delay in getting bail in the forecoon arrest, I had reason to suppose that there might be longer delay, as the sum required was double tho former amount. This proposition seemed to please them, and was assented to without one word of remonstrance.

We left their room and went down stairs into the hall of the hotel. I ordered a carriage at the side door, and while standing in the hall, we were met by Col. Thomas, Mr. Hughes to Col. Thomas, vix—that he (Col. Thomas) "told the sheriff that we (meaning the prisoners) should not go to his office," is incorrect, as all who know that gentlemen, know that he would not use such language to me as an officer. Besides, we had not started for my office, but were waiting in the hall for a carriage to go to my house. I started that I had again arrested the gentlemen, this matter, by the aid of Col. Thomas and Mr

persed previous to my return.

It will thus be seen how far the statement of Mr. Hughes is in accordance with the exact transaction; and that Mr. Knight was not only out of his facts; but forgot the order of events, when he said, tion; and that Mr. Knight was not only out of his faces, but forgot the order of events, when he said, in his communication made to the public, that "at 55 o'clock other warrants were issued against us," &c., and that he "understood that a great crowd was assembled at Court Square for the purpose of mobbing us," and that "officer Coburn wished to carry us there." It was my utmost desire to treat those gentlemen with all that courtesy and consideration to which they, as strangers, arrested under peculiar circumstances, were entitled; so that it could not, with any shade of truth, be said, from any official act of mine, that the officers of the law of Massachusetts lent any aid, beyond what duty, carefully, courteously, and considerately performed, imposed, in support of what they and their Southern brethern significantly term persecution and nullification. For making the several bonds in the several cases, sending is different directions for their friends, procuring carriages, and for such extra detention as their cases required, I made no charge. While they were in my office, in my custedy, I allowed no person to use any abusive or opprobrious epithets towards them; and when they left my office in the forenoon, I procured carriages, and gave them all the protection in my power, from the meances and insults of the crowd.

DANIEC J. Convent, Deputy Sheriff.

Boston, Dec. 4, 1850.

German Preedom and Russian Despotism.

[From the Gologue Gasette, Nov.—]

Columns of Russian armies are on the move towards the west, whilst the adherents and followers of Russia, the Austrians and Baysrians, throng towards the north of Germany, as formerly in the days of Tilly and Wallenstein, to subjugate it and to tread it under foot.

The destinies of Germany are culminating. The Czar has poured out in Warsew his old wrath against all that is called liberty and constitution, against all that is called liberty and constitution, against all participation of nations "in the prerogative of the sovereign." The Diet—i.e. despotism by the grace of God—is to be re-established throughout Germany by Pandours and Cossacks. And is it come to this—is Russia, Asiatic Russia, the most barbarian of all the European States, to govern Germany? Is there none amongst the civilized States of Europe to step in between?

The danger is not threatening us alone; who will

The danger is not threatening us alone; who will save you, if we fall ! The Russian confederates only pass through Germany; their uitimate course is France. They wish to annihilate the revolution; to suppress all representative institutions, and France is the focus of revolutions. If Prassia, forsaken by all, should succumb—if Germany is quieted—then the restoration in France will have its turn. The lilies must be planted on the grave of liberty; that is the old rule. The President of the French republic cannot blind himself to the fact that he is only tolerated till then, and that the legitimate rulers of Austria and Russia, however they may dissemble for the present, look down with ineffable contempt upon the nephew of the Gorsican upstart. England and Prassia stand in quite a different position to France. They wish liberty and the representative system secured to France, and for the rest have no other desire that to see that country, by a judicious and conciliating government, saved from new convulsions that endanger the general peace. No better guarantee at present for the maintenance of peace in France, than the continuation of the President's powers. Prussia, especially, cannot but since celly wish that Louis Napoleon may succeed. If, on the other hand, absolution prevalls in Germany, its next step will be to overthrow the present French government. The Austina ambasador is Pris already welcomes the legitimists, as the prospective rulers of France. The President of the French republic locks through all these machinations, and perfectly agrees about them with his representative at the coart of Berlin. Austria is intent upon warupon war of Germans against Germans. She has subjected herseif to Russia, adatria asswers with fresh and more insolent demands, which are as many challenges. Deaf to the wishes of her various nationalities, who all years for peace, she forest the Prussian government from one place of refuge to the other, to the very trink of the preciped—to that fpoint where even the tumber than day

tions of different grades of civilization, each nationality madly striving to invest the other with that form of government which may be suitable to its own particular degree of culture. The time is come for the great liberal States of the West—England. France, and Prussia, by a strong alliance, to protect themselves, their liberty, and their civilization, against the all-engrossing Slavonian empires of the East.

We do not, in this eventful moment, expect an interference in German efficient by the statement of We do not, in this eventual moment, expect an interference in German sflairs by the statesmen of England and France, out only that they restrain Russia from supporting the ambition of the Austrian potentiates. Austria alone is not sufficiently strong to menace peace and liberty.

Statement of R. v. O. S. Prescott.

In our report of the proceedings of the Ecclesiastical Court, recently held in this city, for the trial of Rev. O. S. Prescott, for heresy, it was mentioned that the respondent offered to the court attatement in his behalf, which the court refused him permission to read. The following is the statement referred to:—

him permission to read. The following is the statement referred to:

IN THE NAME OF GOD, AMEN!

I, Oliver S. Freecott, Presbyter of the Diocess of Massachusette, now under presentment by the Standing Committee of said Diocess, for trial, for violation by word and deed of my ordination vors, do solemnly declare, that I "willingly subscribe to the word of God, attested in the everiasting Scriptures—to all the primitive Creede—to the Four General Councils—and to the common judgment of the Fathers for eix hundred years after Christ; "I do believe the Hely Scriptures of the Old and New Testament to be the word of God, and to contain all things necessary to salvation, and I do selemnly engage to conform to the doctrines and worship of the Protestant Episcopal Church in the United States;" I acknowledge my duty of obedience to the Hight Rev. Fathers the Bishops of said church, as the supreme authority therein, and the sole representative to me of the Catholic Church of Ood. To her I have devoted myself, body, soul and reprit, and am still devoted. In her I am willing to live, in her I desire to die, with no other preparation than worthily receiving the body and blood of Christ which abe dispenses. Haply I may err in trifles, but as heretic or an apoctate, by the grace of Ood. I can and will never be.

If one year of quietness and peace in belleving, and

an aportate, by the grace of God. I can and will never be.

If one year of quietness and peace in believing, and four of preparation for the sacred priesthood to which I believe myself inwardly moved by the Holy Ghost, and "truly called, according to the will of our Lord Jesus Christ, and the canons of this church," and it three years of active service in this office, be not a sofficient refutation of the charge that my life during that time has been a deception and a lie studiously folk wed before the face of God and man without an object or effect unless it be the service of the father of lies. I knew not how one can be furnished by a mere declaration, or even a solemn onth. Yet I would give my asservention, and invoke the sacred name of God, and call my life for the eight years last past to witness to the truth of this declaration.

And I pray this Reverend Court that it may be entered on the minutes of their proceedings, and preserved among the records of the diocers.

Preshyter of the Diocess of Massachusetts.

Tainity Church, Boiton, Nov. 29, 1850.

The following is a list of officers of the U. S. frigate Congress, at Rio de Janeiro. Oct. 17.—Commodore, Isaac McKeever; Flag Lieutenant, John P. Parker; Commodore's Scoretary, Robert Giover; Captain, Jas. M. McIntosh; Lieutenants—Thomas Turner, George R. Gray, A. A. Holcomb. C. R. P. Rodgers; Acting Lieutenant. D. M. Fairtax; Acting Master, Edward Simpson; Fleet Surgeon, Thomas Williamson; Past Assistant, William A. Nejson; Assistant Surgeon, Geo. H. Howell; Purser, A. J. Watson; Past Midshipmen—John Walters, Thomas H. Looker, P. C. Johnson, Jr. Edwin F. Gray, Washington Tecten, John E. Johnston, Uspitalis's Clerk, John T. Stoneall; Purser's Clerk, John W. Jones: Boatswain, George Smith; Gunner, L. M. Bailard; Carpenter, Joseph G. Thomas; Sali Maker, R. C. Rodman, Marine Officers—Brewt Captain, A. S. Tagior; Second Lieutenant, George Holmes.

The U. S. sloop of war Marion was at Whampos, Sept 28.
U. S. sloop of war Plymouth, from Mecao, arrived at Singapose Sept. 14, and called 15th for Penang and United Stace.

A white boy is said to have beaten a negro boy to

North Carolina and the Union.

The foliosing resolutions upon the elavery question, and the late action of Congress upon the compromise measures, were introduced in the lower house of the North Carolina Legislature, on the 20th ult:—

Resolved That this government is one of limited powers, and that by the constitution of the United States. Congress has no jurisdiction whatever over the subject of slavery in the several States of this confederacy.

powers, and that by the constitution of the United States Congress has no jurisdiction whatever over the subject of slaver; in the several States of this confederacy.

Resolved. That the abolition of the slave trade in the District of Columbia, the petitions for the abolition of slavery in exid District, and in the territories of the United States and against the removal of slaves from one State to another, are a part of a plan of operations set on foot to affect the institution of slavery in the several States, and thus indirectly destroy the institution within their limits.

Resolved. That Congress has no right to do that indirectly which it cannot do directly, and that the agitation of the subject of slavery, in Congress, as a means of excluding it from the common territories of the United States, and with a view of disturbing, or overthrowing that institution in the several States, is against the true spirit and meaning of the constitution, an infringement of the rights of the States affected, and a breach of the public faith upon which they entered into the confederacy. And that Congress in the exercise of its acknowledged powers, has no right to discriminate between the institutions of one portion of the States and another, with a view of aboliabing one, and promoting the other.

Resolved, That all the attempts on the part of Congress to aboliab slavery in the District of Columbia, or the territories, or to prohibit the removal of slaves from one portion of the Congress, and that such States are the sole and proper judges of everything apperation of Congress.

Resolved, That Congress has no power under the constitution of the States rests, and beyond the jurisdiction of Congress.

Resolved, That all the attempts on the part of Congress in the free with the views aforesaid, are in violation of the constitution, in the reverse states, and that such States are the sole and proper judges of everything apperations of the fundamental principles on which the constitution of slavery, or to take inciplent steps in

Resolved. That the law passed at the last session of

Resolved. That the law passed at the last session of Congress, known as the fugitive Slave law, is in accordance with the spirit and letter of the constitution of the United States, and its repeal by Congress will be deemed a just cause for North Carolina to seeds from the confederacy.

Resolved. That our Senators in Congress be and they are hereby instructed, and our Representatives requested to carry into effect the principle set forth in the foregoing resolutions.

Resolved. That the Governor of this State be requested to forward a copy of these resolutions to each of our Senators in Congress with a request that they lay them before the Senate of the United States.

them before the Senate of the United States.

The Burning of the Insank Hospital at Augusta, Mr.—The Keanebec Journal, of Thersday morning, contains some additional particulars of the burning of the lasane Hospital at Augusta, on Wednesday morning. The fire broke out at three o'clock, and the patients were taken out as fast as possible; but from the impossibility of getting into some of the rooms, a number of the poor creatures were suffocated. As the patients were necessarily turned loses out of doors, many of them strayed away, and it is yet impossible to tell how many were suffocated. Probably there were five or six; the smouldering remains of two of them were discovered in the basement, after the floor fell through. It is ascertained that Mr. Armstrong, of Gardiner, is one of them. Neither can it be stated who were among the victims, until those who were rescued on be collected. None of the ternale patients, however, were suffocated. Some of the poor maniacs were found wandering away, hell clothed, bare footed, and almost perishing from cold. The houses on the road were readily opened to them, and the best of care bestowed. The remains of three of the unfortunate patients have been taken from the ruins. The number lost may be as high as twelve or fifteen. Mr. Henry Jones, one of the He was seen to enter the patients rooms several times, when they were densely filled with smoke, and may have fallen a victim to his exertions to recue the prishing inmates. Mr. James P. Weeks, another essistant, was injured while cagaged in the same cause. The Journal estimates the cest to repair the building at from \$30,000 to \$50,000.

Police Intelligence. Police Intelligence.

Robing a Show Case.—A rogue, calling bimself William Johnson, was detected, on Thursday evening, about duck, endeavoring to rob a show case containing jewelry, gold pencils and other articles, (valued in giewelry, gold pencils and other articles, (valued in gold pencils and other articles, (valued in gold pencils) and other articles, (valued in gold pencils) and the raticles, (valued in gold pencils) and the musical extravagants called "Hop of my Thumb," in which he will dance and sing, porter. No. 187 Pearl street. The clerk of the establishment heard a noise at the street dorn and, on proceeding down stairs he saw the rogue at the case, in the set of breaking of the lock. He immediately even an alarm, and the thief ran off, dreaming behind

in the set of breaking off the lock. He immediately gave an alarm, and the thief ran off, dropping behind him a large chirel, which he was using to break off the lock. The roque would probably have scanged, had it not been fer the immediate action of that efficient effect. Mr. Drago, of the First ward police, who, on charing the alarm, selzed the thief as he was running up Cedar street, took him into custody, and conveyed him to the station house. Vesterday marning, the roque was arraigned before Justice Lothrop, and was committed to prinou for trial on an attempt to commit agrand lesceny.

Arrest for Breaking open Packages.—Officer Grosett arrested, yesterday, a man by the name of Hugh Cuts, on a charge of steeling, on the 18th November last, a piece of breadcloth, do mustin de lains, do cassimwes, and a lot of boots and shoes—valued in all at over \$50, the property of Ephralim Herricks, captain of the causi boat J. H. Ward. The accused, it seems, was angaged on beard the canni boat, and, during that period, broke open packages, and stole therefrom the property or above mentioned. Justice Lothrop committed the accused to prison for trial.

Court of General Sessions.

Before the Recorder, and Aiderman Franklin and Conkiln.

Dro. 6.—Sentinced for Stealing a Watch.—A boy 18 years of age, named William Simmons, who was convicted, on Monday, of stealing a watch from a store at the corner of Braadway and Duane street, was this morning sentenced to the State prison for two years. This was the lightest punishment the court could inflict on the young culprit, against whom there are four other indictments panding. The Recorder, in persing sentence, addressed him in a most kind and sealing manner, reminded him of the error he had committed and implored him when he came out of prison to seek an honorable livelihood. Many a heart would have been melted by the fatherly aldress of his Recorder had ended his inpressive remarks, the yearing this loudly condemned the joung couvid. After the Recorder had ended his inpressive remarks, the yearing this loudly condemned the judgment, and in come incoherent expressions threatened the court with rengrance when he came out of State prison. The sentence had not yet been recorded, and after a momentary consultation, the court ordered the prison. The sentence had not yet been recorded, and after a momentary consultation, the court ordered the prisons to be brought back. He was again placed at the bar and sentenced to the State prison for three years and six months.

Acqueited on a Cherge of Bargiany.—A boy maned Samuel Denten was this morning tried on a charge of burglary in the third degree in breaking into the store of Joseph Osgood, No. 31 Fulton street, on the 4th of August last, and stealing therefrom a watch and some pecket and bowie knives, valued in all at \$40. The wide for a conviction. The jury therefore acquitive him, and in the case of his brother, who was implicated with him, the caut ordered a neile presque to be extered.

Pleuded Guitty to Assault and Bettery.—James Willis planted quilty to an assault and battery on the person

Superior Court.

Before the Hon. Judge dandford.

Dr. 6.—James Acker and Jacob M. Harris, vs. John J.
V. Westeredt and Wen. Daugiass.—This was an action against the late Sheriff, and his deputy, for the value of goods seized on the premises of 0. 6. Waterberry, and alleged to be the property of the plaintiffs. The judge charsed that the property is claimed by the plaintiffs, and that it was taken from the ossenzible possession of Henjamin Waterberry by the defendants. It is further contended that the goods had been sent by the plaintiffs to the store of Gilbert G. Waterberry on consignment, and that they are selected under an exacution squinned Benj. Waterberry [The defence is that the property was that of Henj. Waterberry, and that he attempted to convey them to Gilbert for the purpose of definacing his creditors, and that the goods were not consigned but soid to Waterberry. The Judge having recapitulated the material points of the testimony to the jury, that the action being brought against the Sheriff and his assistant, they were not, whatever may have been the conduct of the deputy, it with it smart-money upon the Sheriff, though they would be bound to estimate the damages liberally for the irregularities of the deputy. It they should come to the question of damages, he was bound to tell them that the plaintiffs were entitled to recover the fair, marketable price of the property not returned to them, and they are also entitled to recover the fair, marketable price of the property not returned to them, and they are also entitled to recover the fair, marketable price of the property not returned to them, and they are also entitled to recover the lair, marketable price of the property not returned to them, and they are also entitled to recover a fair remuneration for the damage done the goods that were returned to them. The plaintiffs are also entitled to interest on the smoon from a wagon in consequence of rubble heing allowed to remain in the streets an unreasonable length of time. He therefore dismissed the

NOTELTIES AT THE ASTON PLACE OFERA HOUSE .- Last night, "Don Giovannt" was performed, with the stock force of the opera—Bertucca, Truff, Amelia, Patti, Forti. Beneventano, Novelii, Rossi, and Sanquirico-and portions of the opera gave remarkable satisfaction warmly encored. Bertucca sung with all that names and adroitness which characterize her style, and was applauded throughout the opera. The audience was not large, in consequence of the inclemency of the reather, but was quite enthusiastic.

To-night one of the most novel an I exciting perform ances ever known in New York is to take place. Bettiol the great tenor, having recovered from the illness that deprived the public of hearing him on Thursday night, will sing in Lucia di Lammermoor." The house will be crowded on this occasion, as a large number of the seate have already been taken. In addition to large portion of the rôle of Lucresia - which, in itself is to appear for the pleasure of the public, quite merito rious, and for which he will long be remembered, as well as for his delicate and admirable voice and fine well as for his delicate and admirable voice and fine method. During this season, berini, the all ver-voleed vocalist, has personated Gennuro—and with great effect—but on this occasion we shall renew those impressions of Forti's style in that vile, which made so much of a sensation last season. Lorini has been very indefatigable in his exertions, and needs the repose that has been so generously conceded to him by the management. Bettini, Paredi, Bertucca, Forti, Beneveutano and Nathalie Fitzjames to night. Not a word more is required.

more is required.

TRIPLER HALL.—A grand concert will be given this evening by F. E. and Madame Louise Doctor. The beautiful display of musical genius which they gave on the occasion of their last concert will doubtless draw a respectable assemblage.

ANNA BISHOF'S SACRED CONCERT—TO morrow evening another splendid musical treat will some off at this appropriate their splendid musical treat will some off at this

ANNA BISHOF'S NACES DESCRIPT—TO METROW evening another splendid musical treat will some off at this beautiful concert room. Anna Bishop will sing "And lot the Angel of the Lord," "Glory to God," aria, "La Pace mia Smarrita," with various other excellent mu-cical gems. She will be assisted by Miss DeLuce, Mr. Philip Mayer, and Signor Novelli.

Philip Mayer, and Signor Novellt.

CHRISTY'S MINSTRELE.—Those who love good singing, excellent musical performances, and exquisite dancing, can enjoy all by calling at Mechanics' Hall this evening Fellows' Opera House.—There will be an afternoon of neert at three o'clock, when Brother Bones will narrate his canal boat adventures. In the evening, this fine band will give their usual excellent performances.

Theatrical.

Bowers Theater.—New ith standing the inclemency of the weather, this establishment is well attended, owing to the excellent dramatic representations of those distinguished artists Mr. and Mrs. J. Wallack, Jr. They appear to high in the beautiful play of "distipus," and Mr. J. R. Scott will appear as the Jibbenainessy in the famous drama of "Nick of the Woods," The Bowery, under its present talented management, is sure to go ahead.

BROADWAY THEATER.—This evening Bulwer's beauti-

Woods." The Bowery, under its present talented management is sure to go shead.

Bacanwar Thranas.—This evening Bulwer's beautiful play of the "Lady of Lyons" will be acted Miss Kimberly as Pauline, and Mr. Conway as Olaude Mel. notte. As it will be the last night of Miss Kimberly's engagement, we hope there will be a good attendance. The anusements will conclude with the new farce of "My Friend in the Straps," which will introduce Mesers. Shaw. Scherf. Whiting, Miss Garman and Miss Olivia. The great comedian, Sir William Don, is engaged for Monday evening.

Ninto's Garms.—This theatre of light and excellent amusement will be re-opened on Monday evening next, with the new and beautiful fairy pantomime of "Masulm, or the Night Ost," which has been in rehearsal for some time, and will be produced with new machinery, scenery, dresses and decorations. The expectations of the public are great, and we may with certainty assert, they will be fully realized. Niblo's fame in this regard is well known.

Burnon's Thranas.—As usual, Burton, the great theatrical manager, offers a bill which will have the effect of crowding every department of his prosperous establishment. Three excellent pieces:—the first is the culebrated drama of "Giraida."

The area conditions of used to your and the concluding feature "My Precious Betsey." Nearly all Burton's excellent company will be introduced in these pieces. Mr. Gourley will give an eccentric dance.

National Thranas.—The new prize drama of the "Ship Carpenter of New York" will be repeated this

National Thearm.—The new prize drama of the "Ship Carpenter of New York" will be repeated this evening. It has been received, during the week with thusinstic cheers, and no doubt will draw another croaded house to night. Miss Mulvina will dance El Zapateado, and the entertainments will conclude with the splended meno framatic castern speciacle entitled the "Magio Well, or the Fairy of the Desert."

rama "California" is drawing large and respectable as semblages. From first to last it is a beautiful painting

BOARD OF ALDERMEN.

Drc. 6.—M. Margans in the chair. The minutes of the last meeting were read and approved.

the last meeting were read and approved.

Of George Mountjoy, for Tarr's patent engine for the engine company to be located in the Seventh ward; of Rabold & And. ews. for remuneration for loss of horse, by having his leg broken in a sewer in Twenty-fourth street, mear Sixth avenue; all of which were referred. Of the members of the Police Department, for an increase of pay—motion to refer lost.

Report of the Finance Committee, on the communication from the Comptroller in relation to raising money for public purposes, by creating public stocks.

Laid on the table.

haid on the table.

A communication was received from the Comptrol-ier, giving a detailed estimate of the receipts and ex-penditures of 1851, with the probable amount of tax

Resolved, That the pler No. 53 E. R., foot of Market street, be widened on the acutherly side.

Resolved, That the pler No. 53 E. R., foot of Market street, be widened on the acutherly side.

Resolved, That some suitable ventilation be made in the Chamber of the Board of Aldermen, under the direction of the Commissioner of Repairs and Supplies.

Resolved, That Teorty sixth street, between Tenth avenue and the Hudson River, be regulated, ourb and gutter stones set, and the sidewalks flagged four feet wide, and the carriage way paved, under the direction of the Street Commissioner. Referred to Committee on Streets.

or the Street Commissioner. Referred to Committee on Streets.

Resolved. That the Street Commissioner be directed to advertise for proposals for removing the L on the north side of than mbers street pier. No. 30. N.R., and to deter making centract therefor until the said proposals have been submitted to, and approved by the Commen Council.

Resolved. That the first section of the ordinance approach to the training and the commission of the confinance approach to the confinence approach to the confinenc

Resolved, That the first section of the ordinance ap-proved by the Major 18th April, 1850, providing that the stated session of the Board of Aldermen and As-sistant Aldermen be held on the first Monday of each month, be repealed. Resolved, That Bloomingdale Square, situated be-Resolved. That Bloomingdale Square, shouted butween Kighth and Ninth avenues and Fifty-third and Fifty-seventh streets, be opened according to law, and that the Councel of the Corporation by directed to take the necessary steps therefor.

Resolved That the Street Commissioner be authorized to cause the curb, gutter, and sidewalk in front of Nos. 188 and 187 Water street, to be repaired when these

subout delay.

This Board then adjourned until 5 o'clock this ere-

Drs. 6.—The President in the chair.

The minutes of the previous meeting were read and approved.

The minutes of the previous meeting were read and approved.

Petition of members of Engine Company Thirteen to enlarge their engine house; of William Radford for lease of pier foot of Chambers street; a remonstrance, of H. Abeil presented by Assistant Alderman Barr, of the Bixth ward, to a temporary regrade of Orange street, referred.

Report of the Committee on Streets recommending a concurrence with the Board of Aldermen, in the adoption of the resolution to appoint Commissioners to raise the grade of streets and avenues in the upper part of the city, as amended by the Board of Aldermen. Assistant Alderman of the 4th ward offered an amendmen to strike out the words "Board of Aldermen" and substituting by the Common Council, "The report was carried as amended.

RECULATING STREETS.

REDUCTION OF THE PROPERTY AND ASSISTANT AS

in favor of lighting Mulberry street, from Grand to Walker, with gas. adopted. In favor of grading &c., Righty-eighth street, between Third and Fifth avenues, adopted. Report in favor of illing sunken lots, between Thirty and Thirty-first streets. Fourth and Madison avenues, and ienoing the same, adopted. In favor of reducing personal tax of Thomas Raymond, adopted. Report of Finance Committee in favor of making a donation of \$250 to the New York Eye and Far Indirnary, adopted Also in favor of concurring in a donation of \$50 to James Nevin, for loss of horse.

The Board adjourned until 50 clock this (Seturday) afternoon.

Before the United States Commissioner, THE CASE OF THE FRENCH PRISONERS—ROBBERY OF THE COUNTESS CALMONT'S PROPERTY.

The Courses or Assaw as mercally, say.

The United States on the Repulsition of Repulsition of Personners and Processive States of the Repulsition of Colors. National States of the Repulsition of Colors. National States of the Courses of the courses, and every article of the most public streets of Paris,—the Avenue des Champs Elysees, No. 13—was stripped of its furnitures in the absence of the countess, and every article of value removed. The three prisoners left Paris and Harre a few days after as passengers on board the St. Nicholas a packet bound for New York, having eight cases of large portion of the stolen articles. And were arrested immediately on their arrival. The French government under the provisions of the treaty of extradition, claims that they shall be delivered up to be tried in France for the robbery. So much is admitted on all hands. The counsel for the gibtoners objects to the extradition out were greated in the counter of the state of the prisoners objects to the extradition out were greated in the counter of the counter

and "burglary;" that they were intended simply to meet the objection that the French as we does not con-tain these words, and that consequently no crime can be embraced by them, except such as are attended with the circumstances that make out those technical effences under our law. Apart from the French ver-sion of the treaty, it seems to me otherwise. If the expression had merely been "and the corresponding crimes under the French law," that interpretation would have had more plausibility; but there is no recon for it when the instrument goes on to declare that the corresponding crimes intended to be em-braced within its provisions, are such as are insluded under the term 'vel quotific crime," in the French braced within its provisions, are such as are instuded under the term 'col quotific cries," in the French code. We have here an express definition by the contracting parties of the meaning of the words used by them and when we ascorted what crims these latter are, we shall have the means of detarmining whether the prisoners have been guilty of an offence within the purview of the treaty.

By the Code Final, article 1, offences against the laws are divided into three classes, depending upon the degree of punishment awarded to them; thus, those which are punishment awarded to them; thus, those which are punishment awarded to them; thus, those suited "contraventions;" those by primes correctionallies, "delletis," and those by primes correctionalies, "delletis," and those by primes afflictions on infinition, crimes;" By the 69th article, accomplices of crimes and delicts are subjected to the same punishment as the principal, and of course are, by the definition, guilty of the same grade of offence. By the 60th and 42d articles, those who have aided or assisted in the preparation or consummation of the fact, and

ntion, guilty of the same grade of offence. By the cotte and tild articles those who have aided or assisted in the preparation or consummation of the fart, and those who have received say portion of the fart, and those who have received say portion of the property criminally obtained, are made accomplices. In the 7th article are pointed out what are "afficience and infamous punishments," the fifth of which is "reciusion," or imprisonment. The second chapter of the second title treats of the subject of cots, or larcenles; in the 19th article of which, the word "voi" is defined to be a fraudulent appropriation of that which does not belong to him who commits the act; and in article 19th, the punishment of "reclusion" is provided for three care of larceny, the third of which is, where that this is "a domestic or servant on wages in the house."

I do not see how, for the purposes of this examination, there can be any secape from the conclusion from these premises, that Denham, being a servant on wages in the house of Madama de Caumant, and having carried off the property which he knew to belong to her, has been guilty of an act which, under the Prench law, is denominated tot, and being of a grade which is punishable by an affictive and infamous punishment, viz: reclusion is a red qualifie crime, and therefore directly within the words of the treaty. The same reasoning applies to his accomplices. Viromatre and Bernard. The case is an extractively clear one, and the three must be committed to await the warrant of the executive, for their extraction.

Marine Affairs.

FRESENTATION OF PLATE TO CAPTAIN JAMES WEST, OF THE U. S. MAIL STEAMER ATLANTIO.

New York, Nov. 25, 1850.

JAMES WEST, ESQ., COMMANDER OF THE U. & MAIL STEAMER ATLANTIC.

Draw Siz:—At a meeting of passengers on board the Atlantic during her voyage in August, from Liverpool to New York, we were appointed a committee to procure and present you a testimonial of their esteemand respect.

We have now the pleasure to present you a silver salver and pitcher and four goblets, on which are increbed the names of the donors, and that their gitt is to express their admiration of your professional skill, kindly nature, and manly character. With the sincerest where for your breath and happiness, we have the gratification to subscribe ourselves, very truly your friends, J.G. Clarkson, Chairman, A.M. Essemau, Sceretary, A Boody, J. A. Appleton, James M. Kemp, Chas Joly, John Taylor, Committe.

Chas Joly, John Taylor, Committee.

GENTLEMEN:—I have received the testimonial which you have presented to me in behalf of passengers in the Atlantic, on her veyage in August last, with the highest gratification.

To know that my passengers have spent their time comfortably and pleasantly on board my ship, gives me much satisfaction; and to receive from them so beautiful a gift, as an evidence of their kind feelings towards me, will always be to me a subject of grateful recollection. Excuse my delay in replying to you, which was unavoidable. Accept my thanks for the terms in which your letter to me is expressed, and believe me, very truly your friend,

J. WEST.

yesterday morning for Havre, at half past seven list: carried out twenty-eight passengers, and about \$175,000 in specie.

THE STEAMSHIP FRANCLIN, Captain Wotten, salled

LAUNCHED at Bristol, R. I., by Mesers Thom; Stanton & Co., a superior schooner of about 140 tealled the Star, intended for a Providence and P. delphis packet, to be commanded by Captain Niceson, formerly of the Phos. Fenner.